

AGENDA MEMO

CITY COUNCIL MEETING OF: DECEMBER 2, 2009

DEPARTMENT: PLANNING AND DEVELOPMENT

**ITEM DESCRIPTION: ZON-36119 - APPLICANT: HORVATH TOWERS, LLC -
OWNER: SURETE SIETE, LLC**

**** CONDITIONS ****

The Planning Commission (4-3/bg, rt, se vote) and staff recommend APPROVAL.

**** STAFF REPORT ****

PROJECT DESCRIPTION

This is a request for Rezoning from the U (Undeveloped) [SC (Service Commercial) General Plan Designation] district to C-1 (Limited Commercial) district on 1.43 acres generally located on the west side of Jones Boulevard approximately 360 feet north of Smoke Ranch Road. The site is currently undeveloped; and there are no structures on the site. An associated request for a Special Use Permit (SUP-36117) for a Wireless Communication Facility, Stealth Design (Monopine) has also been submitted. The applicant is proposing a zone change that is consistent with the existing General Plan designation and will be compatible with the surrounding zoning districts; therefore, staff is recommending approval of this request.

BACKGROUND INFORMATION

<i>Related Relevant City Actions by P&D, Fire, Bldg., etc.</i>	
01/26/90	The City Council approved the Reclassification (Z-0010-90) of a property on the west side of Jones Boulevard approximately 360 feet north of Smoke Ranch Road.
11/12/04	A deed was recorded for a change of ownership on the west side of Jones Boulevard, approximately 360 feet north of Smoke Ranch Road.
11/05/09	The Planning Commission recommended approval of companion item SUP-36117 concurrently with this application. The Planning Commission voted 4-3/bg, rt, se to recommend APPROVAL (PC Agenda Item #35/ao).
<i>Related Building Permits/Business Licenses</i>	
There are no related permits/business licenses pertaining to the subject site.	
<i>Pre-Application Meeting</i>	
09/02/09	A pre-application meeting was held to discuss the application submittal requirements for a Rezoning and Special Use Permit.
<i>Neighborhood Meeting</i>	
A neighborhood meeting was not required, nor was one conducted.	
<i>Field Check</i>	
10/01/09	A field check was conducted by staff. The subject site is undeveloped. The site was generally clean, but there is some graffiti on the posted for sale sign.

<i>Details of Application Request</i>	
<i>Site Area</i>	
Gross Acres	1.43

Surrounding Property	Existing Land Use	Planned Land Use	Existing Zoning
Subject Property	Undeveloped	SC (Service Commercial)	U (Undeveloped)
North	Church/ House of Worship	PR-OS (Parks/Recreation/Open Space)	C-V (Civic)
South	Auto Parts	SC (Service Commercial)	C-1 (Limited Commercial)
East	Single Family Residential	L (Low Density Residential)	R-1 (Single Family Residential)
West	Public Middle School	PF (Public Facility)	U (Undeveloped)

<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Area Plan		X	N/A
<i>Special Districts/Zones</i>	<i>Yes</i>	<i>No</i>	<i>Compliance</i>
Special Purpose and Overlay Districts	X		N/A
A-O Airport Overlay District (105 Feet)	X		Y
Trails		X	N/A
Rural Preservation Overlay District		X	N/A
Development Impact Notification Assessment		X	N/A
Project of Regional Significance		X	N/A

ANALYSIS

The subject site is zoned U (Undeveloped) [SC (Service Commercial) General Plan Designation] district. The applicant is requesting a Rezoning to C-1 (Limited Commercial), which is intended to allow for retail shopping and mixed use development. Currently, the site is undeveloped and is located within 360 feet of an intersection of two primary thoroughfares. The proposed C-1 (Limited Commercial) District is consistent with the Service Commercial category of the General Plan. The proposed C-1 (Limited Commercial) district is also compatible with adjacent zoning districts within that area; staff is therefore recommending approved of this Rezoning request.

The City of Las Vegas Public Works Department has noted that, upon development of this parcel, appropriate right-of-way dedications, street improvements, drainage plan/studies and traffic mitigation commitments will be required.

FINDINGS

In order to approve a Rezoning application, pursuant to Title 19.18.040, the Planning Commission or City Council must affirm the following:

1. “The proposal conforms to the General Plan.”

The proposed C-1 district is consistent with the existing SC (Service Commercial) General Plan land use designation.

2. “The uses which would be allowed on the subject property by approving the rezoning will be compatible with the surrounding land uses and zoning districts.”

The uses allowed by the C-1 (Limited Commercial) zoning district are compatible with the surrounding land uses and zoning districts.

3. “Growth and development factors in the community indicate the need for or appropriateness of the rezoning.”

The subject site is zoned of U (Undeveloped) [SC (Service Commercial) General Plan Designation]. The proposed rezoning of the subject site to the C-1 (Limited Commercial) district will allow conformance with the existing SC (Service Commercial) land use designation of the subject site.

4. “Street or highway facilities providing access to the property are or will be adequate in size to meet the requirements of the proposed zoning district.”

The site is accessed from Jones Boulevard, a 100-foot Primary Arterial as designated by the Master Plan of Streets and Highways. This thoroughfare is capable of accommodating the traffic flow for the proposed zoning district.

NEIGHBORHOOD ASSOCIATIONS NOTIFIED

11

NOTICES MAILED

256 by City Clerk

APPROVALS

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PROTESTS

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